

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ALDO VERA, JR., as Personal Representative	:	
of the Estate of Aldo Vera, Sr.,	:	
	:	
Plaintiff,	:	
vs.	:	
	:	
THE REPUBLIC OF CUBA,	:	12 Civ. 1596 (AKH)
	:	
Defendant.	:	

ALDO VERA, JR., as Personal Representative	:	
of the Estate of Aldo Vera, Sr., et al.,	:	
	:	
Petitioners,	:	
v.	:	
	:	
BANCO BILBAO VIZCAYA ARGENTARIA (S.A.), et al.	:	
	:	
Respondents/Garnishees.	:	

**REPLY DECLARATION OF
KENNETH A. CARUSO
IN OPPOSITION TO
MOTION TO COMPLETE
TURNOVER AND IN
SUPPORT OF
CROSS-MOTION FOR A
PROTECTIVE ORDER**

Kenneth A. Caruso, hereby declares:

1. I am a member of the Bar of this Court and a partner in the firm of White & Case LLP, counsel to Banco Bilbao Vizcaya Argentaria (S.A.) (“BBVA”).
2. Attached as Exhibit C is my blackline mark-up of Mr. Swift’s “[Proposed] Order and Judgment for Turnover of Specified Uncontested Phase I Account at BBVA.” Dkt. No. 720-1. I have made proposed deletions based on BBVA’s legal positions, as set forth in our memoranda of law. We respectfully take the position that if there is any inconsistency between Exhibit C and our memoranda of law, then our memoranda of law prevails.
3. Attached as Exhibit D is a “clean” version of Exhibit D.

I declare under penalty of perjury that, to the best of my knowledge, the foregoing is true and correct.

Dated: New York, New York
October 24, 2014


Kenneth A. Caruso